

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/812,406
Filing Date: March 26, 2004
Applicant: Nobuyuki TAKASE
Group Art Unit: 1793
Examiner: Janell Combs Morillo
Title: WEAR-RESISTANT ALUMINUM ALLOY EXCELLENT IN
CAULKING PROPERTY AND EXTRUDED PRODUCT
MADE THEREOF
Attorney Docket: 8498-000004/CO

Director of the United States Patent and Trademark Office
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Reasons for allowance are only warranted in instances in which “the record of the prosecution as a whole does not make clear [the Examiner’s] reasons for allowing a claim or claims.” 37 C.F.R. 1.104 (e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted, especially since the statement may unfairly focus on certain reasons for allowance which are not reflected by the prosecution history. Therefore, the record should reflect that Applicant does not necessarily agree with each statement in the reasons for allowance. For example, while Applicant believes the claims are allowable, Applicant may not unequivocally agree that patentability resides

solely in the specific feature or combination of features identified, or that each feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the reasons for allowance do not separately address the subject matter of all the claims, Applicant does not acquiesce to any inference that the non-addressed claims fail to present other reasons for patentability apart from the patentability of the claims which were specifically addressed by the Examiner.

Respectfully submitted,

Dated: December 3, 2008

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